

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-9, 18-21, and 23-24 are pending, of which claims 1, 18, and 21 have been amended. Support for the amendments can be found in the specification at least at page 11, line 19 to page 13, line 12 and in Figs. 4 and 5.

Applicant's amendments and remarks after Final are appropriate under 37 C.F.R. §1.116 because they address the Office's remarks in the Final Action, and thus could not have been presented earlier. In addition, the amendments and remarks should be entered to place the application in better form for appeal.

35 U.S.C. §102 Claim Rejections

Claims 1-9, 18-21, and 23-24 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,889,953 to Thebaut et al. (hereinafter, "Thebaut") (*Office Action* p.2). Applicant respectfully traverses the rejection.

Thebaut describes a framework for implementing a policy for network management. The framework includes a method for defining network domains, a method for defining rules, and a policy driver to monitor objects, execute rules that are attached to the objects, and adjudicate among conflicting rules. (*Thebaut* col.2, lines 5-12.)

With reference to Fig. 1, Thebaut column 3, lines 16-24 describe a policy framework 10 that includes a domain space 12 and a rule space 14 that make up a policy space 15. A policy driver 16 receives an input from the domain space 12

1 and the rule space 14, respectively. The policy driver 16 brings about enforcement
2 of a policy in a network 18.

3 With reference to Fig. 10, Thebaut column 8, lines 20-46 describe that there
4 are policies that govern connections between network endpoints and that the
5 policies are also used to control how connections are processed. According to
6 Thebaut, a policy is created when a "rule is attached to a source object and a
7 destination object." (*Thebaut* col.8, lines 20-21.)

8 Thebaut column 6, lines 1-20 describe that network devices may be
9 grouped together based on "topology, device type, location, managerial domains,
10 and/or the organizational structure of a network enterprise." Devices may be
11 grouped in any way that serves as an aid in understanding and managing the
12 network. Thebaut describes the use of a policy driver 116 that monitors objects in
13 a domain space 112 and to enforce configuration policies 115. (*Thebaut* column 6,
14 lines 49-51.)

15
16 **Claim 1** recites a method comprising:

17 evaluating a current state of each device of a plurality of devices
18 where each device is evaluated independently of the plurality of devices;

19 assigning devices of the plurality of devices to a group, the assigned
20 devices each having a substantially common state as other devices in the
21 group;

22 assigning at least one event-handling policy to the group, wherein
23 the assigned policy is associated with each of the devices in the group; and

24 reevaluating a current state of each device in the group to ascertain
25 validity of membership in the group before the assigned policy is applied to
the devices in the group.

1 Thebaut does not show or disclose "evaluating a current state of each
2 device of a plurality of devices where each device is evaluated independently of
3 the plurality of devices," as recited in claim 1. Thebaut only describes that devices
4 are simply added to a group and then a policy is used to control certain
5 functionality of the devices (*Thebaut* col.6, lines 1-20 and 49-51). Thebaut does
6 not independently evaluate the current state of a device before assigning the device
7 to a group, as recited in claim 1.

8 The Office cites to Thebaut col.6, lines 62-67 for evaluating a current state
9 of each device (*Office Action* p.2). Applicant disagrees because Thebaut describes
10 the use of a policy driver that monitors objects already in a domain space to
11 enforce configuration policies (*Thebaut* col.6, lines 3-67). Thebaut does not
12 independently evaluate the current state of a device before the device is then
13 assigned to a group of devices, as recited in claim 1.

14 Thebaut also does not show or disclose "*revaluating* a current state of each
15 device in the group to ascertain validity of membership in the group before the
16 assigned policy is applied to the devices in the group" as recited in claim 1.
17 Thebaut only describes that devices are simply added to a group and then a policy
18 is used to control certain functionality of the devices. Thebaut does not reevaluate
19 the current state of a device in the group to ascertain validity of membership in the
20 group before an assigned policy is applied, as recited in claim 1.

21 The Office cites to various sections of Thebaut (col.5, lines 1-14; col.9,
22 lines 5-10; col.6, lines 62-67) for revaluating a current state of each device in the
23 group before the assigned policy is applied to the devices in the group (*Office*
24 *Action* p.3). However, there is no indication in the cited sections of Thebaut that
25

1 the current state of a device is reevaluated "to ascertain validity of membership in
2 the group", as recited in claim 1.

3 As the Examiner is likely aware, a single reference must teach each and
4 every element of a claim to substantiate anticipation under 35 U.S.C. §102 (MPEP
5 §2131). Thebaut does not teach each of the elements recited in claim 1.
6 Accordingly, claim 1 along with dependent claims 2-9 are allowable over Thebaut
7 and the §102 rejection should be withdrawn.

8
9 **Claim 18** recites:

10 One or more computer-readable media having stored thereon a
11 computer program that, when executed by one or more processors,
12 performs the process of:

13 evaluating a current state of each device of a plurality of devices
14 where each device is evaluated independently of the plurality of devices;

15 identifying an event-handling policy associated with the group of
16 devices, wherein the event-handling policy defines how devices are
17 configured;

18 assigning the event-handling policy to the group of devices; and

19 reevaluating a current state of each device in the group to ascertain
20 validity of membership in the group before the assigned event-handling
21 policy is applied to the devices in the group.

22 As described above in the response to the rejection of claim 1, Thebaut
23 does not show or disclose "evaluating a current state of each device of a plurality
24 of devices where each device is evaluated independently of the plurality of
25 devices", or "reevaluating a current state of each device in the group to ascertain

1 validity of membership in the group before the assigned event-handling policy is
2 applied to the devices in the group”, as recited in claim 18.

3 Accordingly, claim 18 along with dependent claims 19-20 are allowable
4 over Thebaut and the §102 rejection should be withdrawn.

5
6 **Claim 21** recites a computer-implemented method comprising:

7 determining current states of systems in an enterprise;

8 assigning the systems to groups based on rules associated with the
9 groups and the current states of the systems;

10 assigning policies to at least one particular group;

11 reevaluating current states of each system in the particular group;

12 if the reevaluated current states are valid according to the rules
13 associated with the particular group, applying the policies to the systems in
14 the particular group; and

15 if a current state of a particular system in the particular group is not
16 valid, updating the particular group to delete the particular system and
17 applying the policies to the systems in the updated group.

18 Thebaut does not show or disclose determining “if a current state of a
19 particular system in the particular group is not valid”, as recited in claim 21. The
20 Office cites to Thebaut col.4, lines 25-67 for this feature (*Office Action* p.5).
21 Applicant disagrees because the cited section of Thebaut only describes conflict
22 resolution for two rules that are applied which trigger inconsistent actions
23 (*Thebaut* col.4, lines 25-67). There is no discussion in the cited section of Thebaut
24 of determining the current state of a system in the group, as recited in claim 21.
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1 Thebaut also does not show or disclose "updating the particular group to
2 delete the particular system", as recited in claim 21. The Office cites to Thebaut at
3 col.2, lines 5-43, and to col.4, lines 25-67 for this feature (*Office Action* p.5).
4 Applicant disagrees because there is nothing in the cited sections of Thebaut to
5 indicate that a group is updated to delete a particular system, as recited in
6 claim 21.

7 Accordingly, claim 21 along with dependent claims 23-24 are allowable
8 over Thebaut for at least the reasons described above, and Applicant requests that
9 the §102 rejection be withdrawn.


11 Conclusion

12 Pending claims 1-9, 18-21, and 23-24 are in condition for allowance and
13 Applicant respectfully requests issuance of the subject application. If any issues
14 remain that preclude issuance of the application, the Examiner is urged to contact
15 the undersigned attorney before issuing a subsequent Action.

17 Respectfully Submitted,

19 Dated: _____

By: _____

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